

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

---

GESTURE TECHNOLOGY PARTNERS,  
LLC,

Plaintiff,

v.

LG ELECTRONICS INC. and LG  
ELECTRONICS U.S.A., INC.,

Defendants.

---

Civil Action No. 21-19234 (SRC)

**OPINION & ORDER**

**CHESLER, District Judge**

This matter comes before the Court on the motion for judgment on the pleadings that “the sole remaining claim in this case has been invalidated by the Federal Circuit, and no other issues remain,” by Defendants LG Electronics Inc. and LG Electronics U.S.A., Inc. (collectively, “LG”). (Defs.’ Br. at 3.) Plaintiff Gesture Technology Partners, LLC (“Gesture”) has opposed the motion. LG did not file a reply brief. For the reasons that follow, the motion will be denied.

As to the Federal Circuit’s invalidation of claim 4 of the ‘949 patent, Gesture points out that the deadline for filing a petition for *certiorari* with the Supreme Court has been extended until June 11, 2025. Because LG did not file a reply contesting this assertion, the Court concludes that Gesture is correct and that the Federal Circuit decision is not yet a final judgment.

As to the remaining claims in the case, Gesture points to the consent order filed by Magistrate Judge Hammer on February 3, 2025. In that order, the Magistrate Judge bound the parties to their agreement that there were eight separate decisions pending and that “GTP and LG propose that the matter be stayed until decisions are reached in all of the aforementioned pending proceedings.” (Order of February 3, 2025 at 3.) The parties made this agreement and are bound

by it; they will not be permitted to rescind it. LG does not contend that final decisions have been reached in all of the pending proceedings. The motion for judgment on the pleadings is denied.

For these reasons,

**IT IS** on this 27th day of May, 2025

**ORDERED** that Defendants' motion for judgment on the pleadings (Docket Entry No. 166) is **DENIED**.

s/ Stanley R. Chesler  
STANLEY R. CHESLER  
United States District Judge